

117TH CONGRESS  
1ST SESSION

# S. 2513

To amend title 38, United States Code, to improve the application and review process of the Department of Veterans Affairs for clothing allowance claims submitted by veterans, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JULY 28, 2021

Ms. CORTEZ MASTO (for herself and Mr. BOOZMAN) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to improve the application and review process of the Department of Veterans Affairs for clothing allowance claims submitted by veterans, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*

2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Brian Neuman Depart-

5       ment of Veterans Affairs Clothing Allowance Improvement

6       Act of 2021”.

**1 SEC. 2. IMPROVEMENTS TO PROCESS OF THE DEPART-**

**2 MENT OF VETERANS AFFAIRS FOR CLOTHING**

**3 ALLOWANCE CLAIMS.**

4 (a) PROCESS FOR CLOTHING ALLOWANCE CLAIMS.—  
5 Section 1162 of title 38, United States Code, is amend-  
6 ed—

(1) by striking “The Secretary under” and inserting:

9           “(a) ELIGIBILITY REQUIREMENTS.—The Secretary,  
10 under”;

11 (2) in paragraph (2)—

15 (B) by striking “, and (B) the Secretary”  
16 and inserting the following: “; and  
17 “(B) the Secretary”; and

20        "(b) CONTINUOUS NATURE OF PAYMENTS.—Pay-  
21        ments made to a veteran under subsection (a) shall con-  
22        tinue on an automatically recurring annual basis until the  
23        earlier of the following:

24               “(1) The date on which the veteran elects to no  
25               longer receive such payments.

1               “(2) The date on which the Secretary deter-  
2       mines the veteran is no longer eligible pursuant to  
3       subsection (d).

4               “(c) REVIEWS OF CLAIM.—(1) Except as provided in  
5       paragraph (2)(B), the Secretary shall conduct reviews of  
6       a claim on which a clothing allowance for a veteran is  
7       based to determine the continued eligibility of the veteran  
8       as follows:

9               “(A) Beginning not earlier than five years after  
10      the date on which the veteran initially receives a  
11      clothing allowance under this section and on a peri-  
12      odic basis thereafter.

13               “(B) Whenever the Secretary receives notice  
14      that the veteran no longer meets the requirements  
15      specified in subsection (a).

16               “(2)(A) The Secretary shall prescribe in regulations  
17      standards for determining whether a claim for clothing al-  
18      lowance is based on a circumstance that is not subject to  
19      change.

20               “(B) If the Secretary determines, pursuant to stand-  
21      ards prescribed under subparagraph (A), that a claim for  
22      clothing allowance is based on a circumstance that is not  
23      subject to change, paragraph (1)(A) shall not apply with  
24      respect to the claim.

1       “(d) DETERMINATION REGARDING CONTINUED ELI-  
2 GIBILITY.—If the Secretary determines, as the result of  
3 a review of a claim conducted under subsection (c)(1), that  
4 the veteran who submitted such claim no longer meets the  
5 requirements specified in subsection (a), the Secretary  
6 shall—

7           “(1) provide to the veteran notice of such deter-  
8 mination that includes a description of applicable ac-  
9 tions that may be taken following the determination,  
10 including the actions specified in section 5104C of  
11 this title; and

12           “(2) discontinue the clothing allowance based  
13 on such claim.”.

14       (b) APPLICABILITY.—The amendments made by sub-  
15 section (a) shall apply with respect to—

16           (1) claims for clothing allowance submitted on  
17 or after the date of the enactment of this Act; and

18           (2) claims for clothing allowance submitted  
19 prior to the date of the enactment of this Act, if the  
20 veteran who submitted such claim is in receipt of the  
21 clothing allowance as of the date of the enactment  
22 of this Act.

